

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

WORLDPAK INTERNATIONAL, LLC

v.

DIABLO VALLEY PACKAGING, INC.

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Case No. 4:08-CV-00469  
Judge Schneider/Judge Mazzant

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 26, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Diablo Valley Packaging, Inc.'s Motion for Partial Summary Judgment should be granted in part and denied in part.

The Court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant Diablo Valley Packaging, Inc.'s Motion for Partial Summary Judgment (Dkt. #79) is **GRANTED** in part and **DENIED** in part. Plaintiff's causes

of action for Tortious Interference with a Business Relationship and Disparagement of Business Reputation are dismissed.

**IT IS SO ORDERED.**

**SIGNED this 14th day of September, 2010.**

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE